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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

COURTNEY J. WIMBERLEY, SR.,

Case No.: 3:14-CV-00676-RCJ-VPC

Plaintiff,

vs.

RENO POLICE DEPARTMENT, et. al.,

Defendants.

ORDER

On May 11, 2015, this Court entered Order (ECF #6) adopting and accepting the Report and Recommendation of United States Magistrate Judge Valerie P. Cooke (ECF #4). The Report and Recommendation granted Plaintiff's Application to Proceed *In Forma Pauperis* and directed the Clerk of the Court to file the Complaint (ECF #1-1). Plaintiff's Complaint was dismissed without prejudice with leave to amend up to and including June 13, 2015, failure to comply within the allotted time period would result in dismissal of this action.

20 On May 26, 2015 the Court's Order (ECF #6) was returned undeliverable "Return to Sender
21 Insufficient Address Unable to Forward" (ECF #8). Plaintiff has failed to comply with the Order within
22 the allotted time.

“Before dismissing the action, the district court is required to weigh several factors: (1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.” Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) (internal citations and quotations omitted). All five factors point in favor of dismissal.

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1 Plaintiff has failed to show good cause why this action should not be dismissed without
2 prejudice for failure to comply with Court Order (ECF #6). Accordingly,

3 IT IS HEREBY ORDERED that this action is DISMISSED without prejudice for Plaintiff's
4 failure to comply with the Court Order (ECF #6). The Clerk of the Court shall enter judgment
5 accordingly and close the case.

6 DATED this 16th day of June, 2015.

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8 ROBERT C. JONES
9 District Judge
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